IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 28989 of 1997

Between:

1 Talapula Laxmaiah S/o Kotaiah
Amrathaluru Yanadi fishermen Cooperation Society,

Amrathaluru.
2 Komarigiri Ankaiah S/o Polaiah
Intur Amrathaluru Mandal.

..... PETITIONERS

AND

1 The Govt. of AP, Secretary (Food & Agriculture)
Secretariat building, Hyderabad.

2 The District Collector & Election Authority,

Guntur.

3 The Regional Director of Fisheries, Govt. of AP.,
Guntur Zone-3,
Guntur.

4 The Divisional cooperative Officer,
Tenali, Guntur District.

5 The Cooperative Sub-Registrar & Election Officer of the

Divisional Cooperative Office, Guntur

6 The Person-in-Charge,
Amrathaluru Yanadi Fishermen Coop Amrathaluru,

Guntur District.

(Dismissed for the default as per Court order

Dt:-31.8.2000 as against R5 & R6)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents is not conducting the elections to the Amrathaluru Yanadi Fishermen Co-op-Society, as illegal, arbitrary capricious and violative of principles of nature justice and also consequentially declare that the continuation of Special Officer person-in-Charge to the Amrathaluru Yanadi Fishermen

Co-Operative Society beyond a period of 2 years is against the bye-laws of the Society and consequently direct the respondents to conduct the elections to the Amrathaluru yanddi Fishermen

Co-operative Society.

Counsel for the Petitioner: Mr. RAVI SHANKAR JANDHYALA

Counsel for the Respondents. 1 to 4: GP FOR ANIMAL HUSBANDARY

The Court made the following:

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ORDER:

This Writ Petition is filed seeking for a writ of Mandamus declaring the action of the respondents in not conducting the elections to the Amrathaluru Yanadi Fishermen co-operative Society, as illegal, arbitrary, capricious and violative of the principles of Natural justice and also to consequentially declare the continuation of Special Officer-person-in-charge to the Amrathaluru Yanadi Fishermen Co-operative Society, beyond a period of two years, as against the bye-laws of the Society and consequently to direct the respondents to conduct the elections to the Amrathaluru Yanadi Fishermen Co-operative Society.

2. It is needless to say that as per the relief prayed for, the Writ Petition became infructuous. However, a request is made by the learned counsel representing the writ petitioners that liberty may be given to the writ petitioners to agitate this matter, if they so require to do so. The writ petitioners are accordingly given the liberty to agitate the questions involved at the appropriate stage, if they are so advised.

3. Accordingly, this Writ Petition is disposed of. No order as to costs.

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(P.S.NARAYANA,J)

17th February, 2005.

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To

1 The Secretary (Food & Agriculture)
Govt. of AP, Secretariat building, Hyderabad.

2 The District Collector & Election Authority,

Guntur.

3 The Regional Director of Fisheries, Govt. of AP.,
Guntur Zone-3,
Guntur.

4 The Divisional cooperative Officer,
Tenali, Guntur District.

5 The Cooperative Sub-Registrar & Election Officer of the

Divisional Cooperative Office, Guntur

6 Two CCs to the GP FOR ANIMAL HUSBANDARY,

High Court Buildings, Hyderabad (O.U.T.)

7 Two CD copies.